

Judge Buchwald

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

SEALED

INDICTMENT

-v.-

GARY ZIMET,

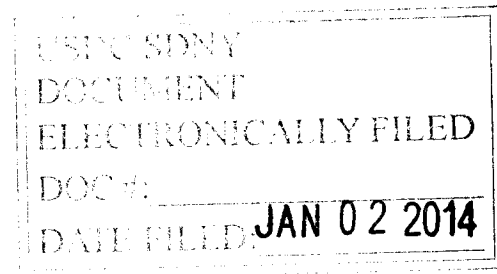
Defendant.

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13 CRIM992

COUNT ONE

(Sale of Stolen Property)



The Grand Jury charges:

1. From at least in or around May 2008 up to and including in or around May 2009, in the Southern District of New York and elsewhere, GARY ZIMET, the defendant, willfully and knowingly did receive, possess, conceal, store, barter, sell, and dispose of goods, wares, and merchandise, securities, and money of the value of \$5,000 and more, and did pledge as security for a loan goods, wares, and merchandise, and securities, of the value of \$500 and more, which had crossed a State or United States boundary after being stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, to wit, ZIMET pledged a photograph titled "Pilots of Aviation History" to an auction house in Texas as security, and caused the photograph to be shipped from New York to Texas to be sold, knowing that it had

been stolen and unlawfully converted.

(Title 18, United States Code, Section 2315.)

COUNT TWO
(Mail Fraud)

The Grand Jury further charges:

2. From at least in or around May 2008 up to and including in or around May 2009, in the Southern District of New York and elsewhere, GARY ZIMET, the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice and attempting so to do, would and did place in a post office and authorized depository for mail matter, matters and things to be sent and delivered by the Postal Service, and deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carrier, and take and receive therefrom such matters and things, and cause to be delivered by mail and such carrier, according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, such matters and things, to wit, ZIMET made, and caused to be made, false and fraudulent representations to an auction house in Texas concerning his ownership of and authority to sell a photograph

titled "Pilots of Aviation History," in order to induce the auction house to sell the photograph and pay ZIMET the proceeds of the sale, and caused the photograph to be shipped from New York to Texas.

(Title 18, United States Code, Section 1341.)

FORFEITURE ALLEGATION

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, GARY ZIMET, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461, any and all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the said offenses, including, but not limited to:

- a. approximately \$33,460 in United States Currency; and
- b. the photograph titled "Pilots of Aviation History."

Substitute Assets Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
- a. cannot be located upon the exercise of due diligence;
 - b. has been transferred or sold to, or

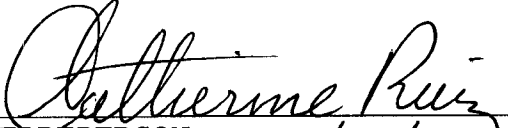
deposited with, a third person;

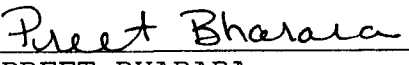
c. has been placed beyond the jurisdiction of
the Court;

d. has been substantially diminished in value;
or

e. has been commingled with other property
which cannot be subdivided without difficulty;
it is the intent of the United States, pursuant to Title 18,
United States Code, Section 982(b) and Title 21, United States
Code, Section 853(p), to seek forfeiture of any other property
of said defendant up to the value of the above forfeitable
property.

(Title 18, United States Code, Section 981(a)(1)(C),
Title 21, United States Code, Section 853(p);
and Title 28, United States Code, Section 2461.)


FOREPERSON 12/20/13


PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

GARY ZIMET

Defendant.

SUPERSEDING INDICTMENT

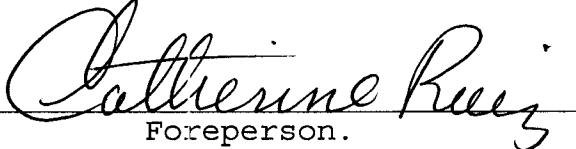
13 Cr.

(18 U.S.C. §§ 2315, 1341)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.

12/2/13 Filed INDICTMENT WARRANT ISSUED

CSTJ/SMTJ